IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.T.SANKARAN

TUESDAY, THE 28TH NOVEMBER 2006 / 7TH AGRAHAYANA 1928

Crl.Rev.Pet.No. 4184 of 2006()

CRA.319/2005 of ADDL.SESSIONS COURT, FAST TRACK (ADHOC) COURT I, KOTTAYAM
ST.525/2004 of CHIEF JUDICIAL MAGISTRATE COURT, KOTTAYAM

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REVN. PETITIONER/APPELLANT/ACCUSED:

SURESH KUMAR. G.,
THAKIDIYIL HOUSE,
KOOROPPADA,
KOTTAYAM.

BY ADV. SRI.M.P.MADHAVANKUTTY

RESPONDENTS/RESPONDENTS/STATE AND COMPLAINANT:

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1. STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

2. SANTHOSH P.N.,
PUTHENPARAMBIL HOUSE,
CHINGAVANAM P.O.,
KOTTAYAM.

R1 BY PUBLIC PROSECUTOR ADV. SHRI KAMMAPPU.
R2 BY ADV. SRI.S.SHANAVAS KHAN

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 28/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.T. SANKARAN, J.

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CRL. R.P. 4184 OF 2006

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Dated this the 28th November , 2006

O R D E R

The petitioner was found guilty of the offence under section 138 of the Negotiable Instruments Act . The trial court sentenced him to undergo simple imprisonment for a period of one month and to pay compensation of Rs.40,000/- and in default of payment of compensation, to undergo simple imprisonment for a period of one month. On appeal, the appellate court confirmed the conviction and sentence and dismissed the appeal.

2. Crl.M.A.No. 12097 of 2006 was filed by the complainant as well as the accused under section 147 of the Negotiable Instruments Act and that application was allowed.

In the result, the Crl. Revision Petition is allowed. The conviction and sentence imposed on the petitioner/accused are set aside and he is acquitted under section 320(8) of the Code of Criminal Procedure.

K.T. SANKARAN,
JUDGE.

lk

K.T. SANKARAN, J.

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CRL. M.A.No. 12097 OF 2006 IN
CRL. R.P.No. 4184 OF 2006

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Dated this the 28th November , 2006

O R D E R

This is an application filed under section 147 of the Negotiable Instruments Act seeking permission to compound the offence under section 138 of the Negotiable Instruments Act. The application is signed by the complainant as well as the accused and their counsel. It is stated in the application that the dispute between the parties is settled. Hence the application is allowed.

K.T. SANKARAN,
JUDGE.

lk

K.T. SANKARAN, J.

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CRL. M.A.No. 11827 OF 2006 IN
CRL. R.P. 4184 OF 2006

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Dated this the 28th November , 2006

O R D E R

This is an application to condone the delay of 92 days in filing the Revision Petition. The parties have settled the dispute and have filed an application under section 147 of the Negotiable Instruments Act .

In the facts and circumstances of the case, the delay is condoned. Number the Crl. Revision Petition and the application filed under section 147 of the Negotiable Instruments Act .

K.T. SANKARAN,
JUDGE.

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